

PATENT *DAK*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Davis Foulger, et al.

App. No.: 09/911,216

Filed: July 23, 2001

For: Method of Backtracing Network
Performance

Docket No.: EMPIR-024AUS

Group Art Unit: 2122

Examiner: Not yet assigned
/Certificate of First Class Mailing under 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Mail Stop Petition, P.O. Box 1450, Commissioner for Patents, Alexandria, VA 22313-1450 on the date set forth below.

12-May-03Date of Signature
and Mail DepositBy: David W. Rouille
David W. Rouille
Registration No. 40,150
Attorney for Applicant(s)REQUEST FOR RECONSIDERATION OF PETITION UNDER 37 CFR 1.47(b)Mail Stop Petition
P.O. Box 1450
Commissioner for Patents
Alexandria, VA 22313-1450

Dear Sir:

In response to the Dismissal, dated March 4, 2003, refusing status under 37 CFR 1.47(b) in the above identified patent application, and in accordance with the provisions of 37 CFR 1.47(b), Applicants respectfully request that the new Declarations and Employee Agreements attached hereto be accepted to overcome the Dismissal and to satisfy the requirements of the law.

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In the event any additional fee is required, please charge such amount to Patent and Trademark Office Deposit Account No. 500845.

Respectfully submitted,

Dated: 12-May-03

David W. Rouille

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